

REMARKS

Claims 1, 23, and 24 are amended to recite that a first power supply provides voltage to at least two but less than all of a plurality of image forming devices. Support for this amendment is found throughout the application as filed, and in particular at Figure 3. Claim 29 is amended to incorporate the subject matter of claim 30, which is cancelled. Claim 31 is amended to correct claim dependency. No new matter is added.

The Examiner rejected claims 1-31 under 35 U.S.C. § 103 as being unpatentable over Omata in combination with U.S. Patent No. 6,075,965 to Tombs *et al.* To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. MPEP § 2143.

Omata discloses four separate power supplies 170a – 170d, each separately and independently coupled to one of four corresponding transfer devices 105a – 105d. Tombs discloses a single power supply 552 coupled to all four image transfer devices 521B, 521C, 521M, and 521Y. Neither Omata nor Tombs teaches or suggests connecting one power supply to at least two but less than all image transfer devices, which necessarily requires at least one additional power supply connected to at least one transfer device. Furthermore, there is no motivation to modify the practice of separate and independent power supplies as taught by Omata to share a single power supply, as taught by Tombs, among at least two but less than all transfer devices. The sole source of such a modification is applicant's claims. This is hindsight reconstruction, which is improper obviousness examination as a matter of law.

The Examiner stated that the modification would have been obvious "for the purpose of simplifying the structure and providing a compact assembly." Both of these proffered motivations teach against the structure disclosed in claims 1 and 23. To simplify the structure of an image forming device having four power supplies, and provide for a compact assembly, one of ordinary skill in the art would simply adopt Tombs' teaching of a single power supply. One power supply is unquestionably a simpler structure, and allows for a more compact assembly, than the two or more power supplies necessarily implied by claims 1 and 23.

There is simply no reason – absent the teaching of the present invention – that one of ordinary skill in the art would be motivated to replace four separate and independent power supplies with two or more power supplies, wherein at least one of the power supplies provides voltage to two or more but less than all transfer devices in an image forming station. This is particularly true in light of the teachings of Tombs, which clearly demonstrate that the straightforward solution (if the motivation is simplicity and compactness) of a single shared power supply is feasible and practical. The Examiner has not articulated any such motivation, either in the prior art references or in the art generally.

Claims 12, 19, and 29 recite first, second, and third transfer devices and first and second power supplies, with the first power supply connected to the first and second transfer devices, and the second power supply connected to the third transfer device. Neither Omata nor Tombs, alone or in combination, disclose such a structure. To arrive at this structure requires modification of Omata that is not taught or suggest by Tombs, but rather is taught only by applicant's disclosure.

Claim 19 (like dependent claims 10 and 18) additionally recites a third power supply connected to a fourth transfer device. This structure is yet further removed from any possible teaching of Omata and Tombs, as it recites a non-symmetric arrangement that adds cost and complexity for no apparent reason, under the teachings of the prior art. Claims 10, 18, and 19

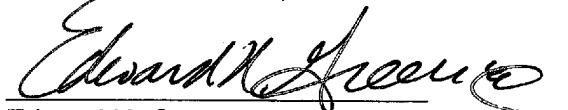
recite the structure of Figure 3. In matching transfer devices to power supplies, how does the 1-1 mapping of Omata, combined with the 4-1 mapping of Tombs, yield the 2-1, 1-1, 1-1 mapping of Figure 3, as recited in claims 10, 18, and 19? Absent Applicant's teachings, it cannot and does not.

For the combination of Omata and Tombs to teach or suggest the claimed power supply-to-transfer device mappings recited in the claims, as amended herein, requires a modification of Omata for which the only possible motivation is the claims themselves. There is nothing in the references or in the art generally that would suggest to one of ordinary skill in the art to power at least two but less than all of a plurality of transfer devices from a single power supply – which limitation necessarily requires at least one additional power supply to power at least one other transfer device. Such a structure is not suggested by either separate and independent power supplies for each transfer device; one power supply for all transfer devices; or a combination of such teachings without the further teaching of Applicant's disclosure. Such hindsight reconstruction is impermissible. Accordingly, the Examiner has failed to establish a *prima facie* case of obviousness, and the § 103 rejections must be withdrawn.

As all pending claims exhibit patentable nonobviousness over the art of record, prompt allowance of all pending claims is respectfully requested.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.



Edward H. Green, III
Registration No.: 42,604

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P.O. Box 5
Raleigh, NC 27602
Telephone: (919) 854-1844
Facsimile: (919) 854-2084